

RAMON K. QUICHOCHO, ESQ. (F0243)  
 LAW OFFICES OF RAMON K. QUICHOCHO, LLC  
 2<sup>nd</sup> Floor, Sign Arts Building, San Jose  
 P.O. Box 505621  
 Saipan, MP 96950  
 Tel. No.: 670.234.8946  
 Fax: 670.234.8920  
 Email: karissa129@gmail.com

*Attorney for Defendant Larry B. Hocog*

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN MARIANA ISLANDS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**LARRY BORJA HOCOG,**

**Defendant.**

**CRIMINAL CASE NO.: 08-00016-001**

**MOTION FOR BILL OF PARTICULARS**

**Hearing:  
 Time:**

Defendant Larry Borja Hocog, by and through undersigned counsel, and pursuant to FED. R. CRIM. P. 7(f), the Court's May 20, 2008 Order Setting Trial Date, and the Fifth and Sixth Amendments to the United States Constitution, hereby moves this Court for an order compelling the government to file a bill of particulars, setting forth the following:

**COUNT ONE: DISTRIBUTION OF OXYCODONE HYDROCHLORIDE**

1. Identify specific dates and instances when Dr. Hocog allegedly dispensed or distributed Oxycodone Hydrochloride, including but not limited to, names of individuals that Dr. Hocog dispensed or distributed Oxycodone Hydrochloride to.
2. Identify all overt acts not listed in the indictment but upon which the government may rely at trial.

3. Identify the manner and means which provide the basis for the allegation that Dr. Hocog dispensed and distributed Oxycodone Hydrochloride.

**COUNT TWO: DISTRIBUTION OF MEPERIDINE**

1. Identify specific dates and instances when Dr. Hocog allegedly dispensed or distributed Meperidine, including but not limited to, names of individuals that Dr. Hocog dispensed or distributed Meperidine to.
2. Identify all overt acts not listed in the indictment but upon which the government may rely at trial.
3. Identify the manner and means which provide the basis for the allegation that Dr. Hocog dispensed and distributed Meperidine.

In support of his motion, Defendant states:

1. In both Counts One and Two of the Indictment, Defendant is accused of knowingly and unlawfully dispensing and distributing Oxycodone Hydrochloride and Meperidine, respectively, over a period of almost three months.
2. The Indictment does not provide any information as to who Defendant dispensed or distributed the controlled substance to.
3. Furthermore, Defendant is left guessing how many instances between September 4, 2007, and November 26, 2007, the government is accusing him of distributing and dispensing controlled substances.
4. The information sought by the Defendant's motion is necessary to enable him to prepare an effective defense to the government's broad based allegations of distribution and dispensing of controlled substances.

1           5. A bill of particulars is appropriate to permit a defendant to identify with sufficient  
2 particularity the nature of the charge against him, thereby enabling defendant to prepare for trial, to  
3 prevent surprise, and to interpose a plea of double jeopardy should he be prosecuted for the same  
4 offense. *United States v. Giese*, 597 F.2d 1170, 1180 (9th Cir.1979). All of these purposes will be  
5 served by a bill of particulars in this case.  
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7           Therefore, in fairness to the accused and to this Court, the Defendant's motion for bill of  
8 particulars should be GRANTED.

9           Respectfully submitted this 3rd day of June, 2008.

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11   LAW OFFICES OF RAMON K. QUICHOCHO, LLC

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13   /s/RAMON K. QUICHOCHO, ESQ.  
14   CNMI Bar No. F0243  
15   Attorney for Defendant  
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